OFFICE OF THE CLERK

UNITED STATES COURT OF APPEALS

Marcia M. Waldron Clerk FOR THE THIRD CIRCUIT
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October 31, 2007

Mr. Robert V. Barth Jr., Clerk United States District Court for the Western District of PA 17 South Park Row Room A-150 Erie, PA 16501

RE: Docket No. 06-3178 USA vs. Kosteniuk No. 05-cr-00008E

Dear Mr. Barth:

Enclosed is a certified copy of the judgment together with copy of the opinion in the above-entitled case(s). The certified judgment is issued in lieu of a formal mandate and is to be treated in all respects as a mandate.

Counsel are advised of the issuance of the mandate by copy of this letter. A copy of the certified judgment is also enclosed showing costs taxed, if any.

> Very truly yours, MARCIA M. WALDRON Clerk

By: LaToya W. Corprew
Case Manager

Enclosure

cc:

Karen S. Gerlach, Esq. Robert L. Eberhardt, Esq.